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C&M No. 44-22-2663/ FILE NOS

TERESA RODRIGUEZ  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Sandra Guerra Deputy

**NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE  
TRUSTEE**

Sandra Guerra

**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

**INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION**

Deed of Trust dated May 04, 2018 and recorded under Clerk's File No. 2018-002402, in the real property records of CALDWELL County Texas, with Theophilus Adams-Scales Jr. and Charley Deonta Adams Scales, a married man and a married man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Wintrust Mortgage, a Division of Barrington Bank and Trust Co., N.A., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Theophilus Adams-Scales Jr. and Charley Deonta Adams Scales, a married man and a married man securing payment of the indebtedness in the original principal amount of \$430,000.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of **the promissory note (the "Note")** executed by Theophilus Adams-Scales Jr. and Charley Deonta Adams Scales. Wintrust Mortgage, a division of Barrington Bank & Trust Co., N.A. **is the current mortgagee (the "Mortgagee")** of the Note and Deed of Trust or Contract Lien.

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. Mr. Cooper is acting as the Mortgage Servicer for the Mortgagee. Mr. Cooper, is representing the Mortgagee, whose address is: 8950 Cypress Waters Boulevard, Coppell, TX 75019.

**Legal Description:**

**ALL OF A CERTAIN TRACT OR PARCEL OF LAND SITAUTED IN CALDWELL COUNTY, TEXAS AND BEING A PART OF THE FRANCIS SEYDELL SURVEY A-286 AND BEING ALSO ALL OF TRACT OF LAND CALLED 10.00 ACRES AND CONVEYED TO IRENE J. BALTERRAMA BY DEED RECORDED IN VOLUME 80 PAGE 231 OF THE OFFICIAL RECORDS OF CALDWELL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

**SALE INFORMATION**

**Date of Sale: 06/06/2023**

**Earliest Time Sale Will Begin: 1:00 PM**

**Location of Sale:** **The place of the sale shall be: CALDWELL** County Courthouse, Texas at the following location: The Main Entrance of the new Caldwell County Judicial Center, located at 1703 S Colorado St, Lockhart, Texas 78644, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

**TERMS OF SALE**

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.



**The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.**

The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Angela Zavala, Michelle Jones, Sharlet Watts, Jennyfer Sakiewicz, Deanna Ray, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Auction, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Executed on May 2, 2023.

/s/ Olufunmilola Oyekan SBOT# 24084552, Attorney at Law  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Posted and filed by:

Sharlet Watts

Printed Name:

Sharlet Watts

C&M No. 44-22-2663

## EXHIBIT A

All of a certain tract or parcel of land situated in Caldwell County, Texas and being a part of the Francis Seydell Survey A-286 and being also a part of a tract of land called 16.439 acres and assigned to Charles Franz by Contract of Sale recorded in Volume 370 Page 309 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a 1/4" iron pin found in the East corner of the above mentioned 16.439 acre tract and in the South corner of a tract of land called 22.353 acres and conveyed to Brumley Development Corp. by deed recorded in Volume 172 Page 577 of the Official Records of Caldwell County, Texas and in the apparent NW line of a tract of land designated as First Tract called 241 acres and conveyed to Gus T. Brown Jr. by deed recorded in Volume 334 Page 652 of the said Deed Records for the East corner this tract.

THENCE S 50 degrees 06 minutes 43 seconds E with the SE line of the said 16.439 acre tract and the apparent NW line of the above mentioned 241 acre tract 379.44 feet to a 12" treated fence corner post found in the South corner of the said 16.439 acre tract and the apparent East corner of a tract of land designated as First Tract called 39.73 acres and conveyed to Gus T. Brown Jr. by deed recorded in Volume 520 Page 121 of the said Deed Records for the South corner this tract.

THENCE with the monumented SW line of the said 16.439 acre tract for the following three (3) courses:

(1) N 39 degrees 50 minutes 50 seconds W with the apparent NE line of the above mentioned 39.73 acre tract 788.33 feet to a 5/8" iron pin found in the apparent North corner of the said 39.73 acre tract and the apparent East corner of a tract of land called 34.90 acres and conveyed to Robert Bush by deed recorded in Volume 523 Page 33 of the said Deed Records for an angle point.

(2) N 39 degrees 47 minutes 03 seconds W with the monumented NE line of the above mentioned 34.90 acre tract 594.03 feet to a 5/8" iron pin found in the East corner of a tract of land called 9.999 acres and conveyed to John McMillen et ux by deed recorded in Volume 161 Page 19 of the said Official Records for an angle point.

(3) N 39 degrees 48 minutes 18 seconds W with the monumented NE line of the above mentioned 9.999 acre tract 30.00 feet to a capped 1/4" iron pin set for the West corner this tract.

THENCE N 51 degrees 26 minutes 36 seconds E entering the said 16.439 acre tract 116.53 feet to a capped 1/4" iron pin set for an exterior corner this tract.

THENCE S 38 degrees 33 minutes 24 seconds E 65.88 feet to a capped 1/4" iron pin set for an ell corner this tract.

THENCE N 50 degrees 30 minutes 00 seconds E 271.88 feet to a capped 1/4" iron pin set in the NE line of the said 16.439 acre tract and the SW line of the above mentioned 22.353 acre tract for the North corner this tract and from which point a 3/8" iron pin found used for basis of bearing marking the North corner of the said 16.439 acre tract bears N 39 degrees 30 minutes 00 seconds W 556.85 feet.

THENCE S 39 degrees 30 minutes 00 seconds E with the NE line of the said 16.439 acre tract and the SW line of the said 22.353 acre tract 1341.97 feet to the place of beginning containing 12.000 acres of land more or less.